

### REMARKS

In the Advisory Action mailed September 6, 2005, the Examiner maintained the rejections of the Final Office Action of May 31, 2005. By way of the foregoing amendments and the markings to show changes, Applicants have amended claims 2 and 3, canceled claims 5, 16 and 31 and added new claims 34-36. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

#### I. Amended Claims

Applicants have amended independent claims 2 and 3 and assert that those claims are patentable over the references of record.

#### II. New Claims

Applicant have added new claims 33-36 to address particular aspects of the present invention and Applicants assert that the new claims are patentable over the references of record.

#### III. Advisory Action

The Advisory Action addresses the data sheet for Jeffamine-2000 submitted by Applicants and suggest, "The data sheet provided shows that the primary amine only makes up 97% of the amine content. Thus there is a substantial amount of secondary amine." Applicants assert that a 97% primary amine content does not necessarily suggest that the remainder is secondary amine content.

Moreover, the Advisory Action suggests that Applicants' arguments are not sufficient "evidence of criticality" for ranges of Applicants' claims. The Advisory Action further asserts that Applicants need to submit "critical data within the entire claimed range compared to trials where the concentration is outside of the claimed range..." Applicants contend that such a submission is not required particularly in the present situation. Applicants have submitted sound scientific reasoning as to the importance of the ranges of the claims and such scientific reasoning is believed to be sufficient for showing that the claimed ranges are novel and non-obvious relative to the references

of record, particularly since none of the references of record have been shown to disclose or suggest Applicants claimed ranges, much less those ranges in a process as recited in the claims of the present application.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants intend to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

### **PETITION FOR EXTENSION OF TIME**

Applicants respectfully request and petition an appropriate extension of time to respond to the outstanding Office Action, of at least one (1) month. Enclosed is a check in the amount of \$120.00. For any deficiencies, please charge Deposit Account No. 50-1097 for any fee which may be due is hereby given.

### **CONCLUSIONS**

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicant has not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge our Deposit Account No. 04-1512 for any fee which may be due.

Respectfully submitted,

Dated: 29 September, 2005



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